

Federal Maritime Commission

§ 520.14

Puget Sound, and between British Columbia, Canada and ports or points in Alaska, only if the cargo does not originate in or is not destined to foreign countries other than Canada, but only if:

(1) The through rates are filed with the Surface Transportation Board and/or the Canadian Transport Commission; and

(2) Certified copies of the rate divisions and of all agreements, arrangements or concurrences, entered into in connection with the transportation of such cargo, are filed with the Commission within 30 days of the effectiveness of such rate divisions, agreements, arrangements or concurrences.

(B) *Bulk; port-to-port.* Transportation by water of cargo moving in bulk without mark or count in rail cars on a local port-to-port rate basis between ports in British Columbia, Canada and United States ports on Puget Sound, only if the rates charged for any particular bulk type commodity on any one sailing are identical for all shippers, except that:

(1) This exemption shall not apply to cargo originating in or destined to foreign countries other than Canada; and

(2) The carrier will remain subject to all other provisions of the Act.

(iii) *Incan Superior, Ltd.* Transportation by Incan Superior, Ltd. of cargo moving in railroad cars between Thunder Bay, Ontario, and Superior, Wisconsin, only if the cargo does not originate in or is not destined to foreign countries other than Canada, and if:

(A) The through rates are filed with the Surface Transportation Board and/or the Canadian Transport Commission; and

(B) Certified copies of the rate divisions and all agreements, arrangements or concurrences entered into in connection with the transportation of such cargo are filed with the Commission within 30 days of the effectiveness of such rate divisions, agreements, arrangements or concurrences.

(e) NVOCC Negotiated Rate Arrangements. A licensed NVOCC that satisfies the requirements of part 532 of this chapter is exempt from the requirement in this part that it include rates

in a tariff open to public inspection in an automated tariff system.

[64 FR 11225, Mar. 8, 1999, as amended at 74 FR 50722, Oct. 1, 2009; 76 FR 11360, Mar. 2, 2011]

§ 520.14 Special permission.

(a) *General.* Section 8(d) of the Act (46 U.S.C. 40501(e)) authorizes the Commission, in its discretion and for good cause shown, to permit increases or decreases in rates, or the issuance of new or initial rates, on less than the statutory notice. Section 9(c) of the Act (46 U.S.C. 40703, 40704(a)) authorizes the Commission to permit a controlled carrier's rates, charges, classifications, rules or regulations to become effective on less than 30 days' notice. The Commission may also in its discretion and for good cause shown, permit departures from the requirements of this part.

(b) *Clerical errors.* Typographical and/or clerical errors constitute good cause for the exercise of special permission authority but every application based thereon must plainly specify the error and present clear evidence of its existence, together with a full statement of the attending circumstances, and shall be submitted with reasonable promptness after publishing the defective tariff material.

(c) *Application.* (1) Applications for special permission to establish rate increases or decreases on less than statutory notice or for waiver of the provisions of this part, shall be made by the common carrier, conference or agent for publishing. Every such application shall be submitted to the Bureau of Trade Analysis and be accompanied by a filing fee of \$195.

(2) Applications for special permission shall be made only by letter, except that in emergency situations, application may be made by telephone or facsimile if the communication is promptly followed by a letter and the filing fee.

(3) Applications for special permission shall contain the following information:

(i) Organization name, number and trade name of the conference or carrier;

(ii) Tariff number and title; and

§ 520.91

(iii) The rate, commodity, or rules related to the application, and the special circumstances which the applicant believes constitute good cause to depart from the requirements of this part or to warrant a tariff change upon less than the statutory notice period.

(d) *Implementation.* The authority granted by the Commission shall be used in its entirety, including the prompt publishing of the material for which permission was requested. Applicants shall use the special case number assigned by the Commission with the symbol “S”.

[64 FR 11225, Mar. 8, 1999, as amended at 67 FR 39860, June 11, 2002; 70 FR 10330, Mar. 3, 2005; 74 FR 50722, Oct. 1, 2009]

§ 520.91 OMB control number assigned pursuant to the Paperwork Reduction Act.

The Commission has received OMB approval for this collection of information pursuant to the Paperwork Reduction Act of 1995, as amended. In accordance with the Act, agencies are required to display a currently valid control number. The valid control number for this collection of information is 3072-0064.

APPENDIX A TO PART 520—STANDARD TERMINOLOGY AND CODES

I—PUBLISHING/AMENDMENT TYPE CODES

Code	Definition
A	Increase.
C	Change resulting in neither increase nor decrease in rate or charges.
E	Expiration (also use “A” if the deletion results in the application of a higher “cargo, n.o.s.” or similar rate).
I	New or initial matter.
K	Rate or change filed by a controlled common carrier member of a conference under independent action.
M	Transportation of U.S. Department of Defense cargo by American-flag common carriers.
P	Addition of a port or point.
R	Reduction.
S	Special Case matter filed pursuant to Special Permission, Special Docket or other Commission direction, including filing of tariff data after suspension, such as for controlled carriers. Requires “Special Case Number.”
T	Terminal Rates, charges or provisions or canal tolls over which the carrier has no control.
W	Withdrawal of an erroneous publication on the same publication date.
X	Exemption for controlled carrier data in trades served exclusively by controlled carriers or by controlled carriers of states receiving most-favored-nation treatment.

46 CFR Ch. IV (10–1–12 Edition)

II—UNIT CODES

A. Weight Units:	
Kilograms	KGS
1000 Kgs (Metric Ton)	KT
Pounds	LBS
Long Ton (2240 LBS)	LT
Short Ton (2000 LBS)	ST
B. Volume Units:	
Cubic meter	CBM
Cubic feet	CFT
C. Length Units:	
Centimeters	CM
Feet	FT
Inches	IN
Meters	M
D. Measure Board Feet:	
Thousand Board Feet	MBF
E. Distance Units:	
Kilometers	KM
Miles	MI
F. Rate Basis:	
Ad Valorem	AV
Each	EA
Lump Sum	LS
Measure	M
Thousand Board Feet	MBF
Per Container	PC
Weight	W
Weight/Measure	WM
G. Container Size Codes:	
Not Applicable	N/A
Less Than Load	LTL
10 FT Any Height	10X
20 FT 8'6"	20
20 FT 9'0" High Cube	20A
20 FT 9'6" High Cube	20B
20 FT 8'0"	20S
20 FT Any Height	20X
24 FT 8'6"	24
24 FT 9'0" High Cube	24A
24 FT 9'6" High Cube	24B
24 FT 8'0"	24S
24 FT Any Height	24X
35 FT 8'6"	35
35 FT 9'0" High Cube	35A
35 FT 9'6" High Cube	35B
35 FT 8'0"	35S
35 FT Any Height	35X
40 FT 8'6"	40
40 FT 9'0" High Cube	40A
40 FT 9'6" High Cube	40B
40 FT 8'0"	40S
40 FT Any Height	40X
42 FT 8'6"	42
42 FT 9'0" High Cube	42A
42 FT 9'6" High Cube	42B
42 FT 8'0"	42S
42 FT Any Height	42X
43 FT 8'6"	43
43 FT 9'0" High Cube	43A
43 FT 9'6" High Cube	43B
43 FT 8'0"	43S
43 FT Any Height	43X
45 FT 8'6"	45
45 FT 9'0" High Cube	45A
45 FT 9'6" High Cube	45B
45 FT 8'0"	45S
45 FT Any Height	45X
48 FT 8'6"	48
48 FT 9'0" High Cube	48A
48 FT 9'6" High Cube	48B
48 FT 8'0"	48S
48 FT Any Height	48X
53 FT 8'6"	53
53 FT 9'0" High Cube	53A